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प्राधिकार से प्रकाशित

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इस भाग में भिन्न पट्ट संख्या वी जाती है जिससे कि यह घलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on the 27th November, 1967:—

BILL NO. 158 OF 1967

A Bill to amend the Official Languages Act, 1963.

Be it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. This Act may be called the Official Languages (Amendment) Short title. Act, 1967.

5 2. For section 3 of the Official Languages Act, 1963 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

10 "3. (1) Notwithstanding the expiration of the period of fifteen years from the commencement of the Constitution, the English language may, as from the appointed day, continue to be used, in addition to Hindi,—

(a) for all the official purposes of the Union for which it was being used immediately before that day; and

(b) for the transaction of business in Parliament:

Provided that the English language shall be used for purposes of communication between the Union and a State which has not adopted Hindi as its official language, and between one State and another State where either of the States concerned has not adopted Hindi as its official language: 5

Provided also that nothing in this sub-section shall be construed as preventing a State which has not adopted Hindi as its official language from using Hindi for purposes of communication with the Union or with a State which has adopted Hindi as its official language, or by agreement with any other State, and in such a case, it shall not be obligatory to use the English language for purposes of communication with that State. 10

(2) Notwithstanding anything contained in sub-section (1), where Hindi is used for purposes of communication— 15

(i) between one Ministry or Department or office of the Central Government and another;

(ii) between one Ministry or Department or office of the Central Government and any corporation or company owned or controlled by the Central Government or any office thereof;

(iii) between any corporation or company owned or controlled by the Central Government or any office thereof and another,

a translation of the same in the English language shall also be provided along with the Hindi text thereof till such date as both the staff of the Ministry, Department, office, corporation or company aforesaid from which such communication is sent and the staff of the Ministry, Department, office, corporation or company aforesaid in which it is received, have acquired a working knowledge of Hindi. 30

(3) Notwithstanding anything contained in sub-section (1), both the English language and Hindi shall be used for—

(i) resolutions, general orders, rules, notifications, administrative or other reports or press communiques issued or made by the Central Government or by a Ministry, Department or office thereof or by a corporation or company owned or controlled by the Central Government or by any office of such corporation or company; 35

(ii) administrative and other reports and official papers laid before a House or the Houses of Parliament;

5 (iii) contracts and agreements executed, and licences, permits, notices and forms of tender issued, by or on behalf of the Central Government or any Ministry, Department or office thereof or by a corporation or company owned or controlled by the Central Government or by any office of such corporation or company.

10 (4) Without prejudice to the provisions of sub-section (1) or sub-section (2) or sub-section (3), the Central Government may, by rules made under section 8, provide for the language or languages to be used for the official purpose of the Union, including the working of any Ministry, Department, section or office, and in making such rules, due consideration shall be given to the quick and efficient disposal of the official business and the interests of 15 the general public and in particular, the rules so made shall ensure that persons serving in connection with the affairs of the Union and having proficiency either in Hindi or in the English language may function effectively and that they are not placed at a disadvantage on the ground that they do not have proficiency 20 in both the languages.

25 (5) The provisions of clause (a) of sub-section (1), and the provisions of sub-section (2), sub-section (3) and sub-section (4) shall remain in force until resolutions for the discontinuance of the use of the English language for the purposes mentioned therein have been passed by the Legislatures of all the States which have not adopted Hindi as their official language and until after considering the resolutions aforesaid, a resolution for such discontinuance has been passed by each House of Parliament.”.

30 3. To sub-section (4) of section 4 of the principal Act, the following proviso shall be added, namely:— Amendment of section 4.

“Provided that the directions so issued shall not be inconsistent with the provisions of section 3.”.

STATEMENT OF OBJECTS AND REASONS

The Official Languages Act was enacted in May, 1963. Section 3 of the Act provides for the continued use of the English language, in addition to Hindi, for all the official purposes of the Union for which it was being used immediately before the 26th day of January, 1965. It is, however, considered necessary to give statutory recognition to the assurances of the late Prime Ministers regarding the continued use of the English language as long as the non-Hindi-speaking people did not desire a change. It is also proposed to provide for the obligatory use of the English language in addition to Hindi in certain cases.

The Bill seeks to achieve these objects.

NEW DELHI;

Y. B. CHAVAN.

The 15th November, 1967.

FINANCIAL MEMORANDUM

The Bill provides for obligatory use of English in addition to Hindi for certain specified official purposes of the Union. Instructions already exist for the obligatory use of English in addition to Hindi for some of the purposes mentioned in sub-section (2), and clauses (i) and (ii) of sub-section (3) of new section 3 proposed to be substituted by clause 2 of the Bill. However, enforcement of these as statutory provisions and of sub-section (3) (iii) of new section 3 would involve additional expenditure on printing, stationery, advertisement charges and in some cases engagement of additional staff for purposes of translation. It has been estimated that the recurring expenditure involved would be between Rs. 20 lakhs and Rs. 30 lakhs.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Under section 8 of the Act, Central Government was empowered to make rules for carrying out the purposes of the Act. The proposed sub-section (4) of section 3 of the Act seeks, however, to limit the rule-making power of the Central Government by introducing certain principles which must be taken into account in framing such rules. Thus, the Bill does not enlarge the delegation of legislative power already contained in the Act.

S. L. SHAKDHER,
Secretary.